

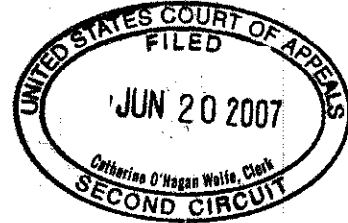
# MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT  
THURGOOD MARSHALL U.S. COURT HOUSE  
40 FOLEY SQUARE  
NEW YORK 10007

WDNY/ROCH  
05-cv-6134  
Telesca

Catherine O'Hagan Wolfe  
CLERK

Date: 6/20/07  
Docket Number: 06-4386-cv(L) 06-5919-cv(CON)  
Short Title: Wischmeyer v. Wischmeyer  
DC Docket Number: 05-cv-6134  
DC: WDNY (ROCHESTER)  
DC Judge: Honorable Michael Telesca  
Honorable Marian Payson




At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 20th day of June, two thousand seven.

Wischmeyer v. Wischmeyer

A scheduling order in accordance with the *Civil Appeals Management Plan* of this court having been entered therein, requiring the record on appeal, the appellant's brief and the joint appendix to be filed on or before the dates stated on the scheduling order, and also providing that in the event of default by the appellant the appeal shall be dismissed forthwith, and it appearing that the appellant has so defaulted,

Upon consideration of the appeal herein it is **ORDERED** that the appeal be, and it hereby is **DISMISSED**. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

For the Court,  
Catherine O'Hagan Wolfe, Clerk

  
By: Eniola O. Ajayi  
Deputy Clerk

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk

by   
DEPUTY CLERK

CERTIFIED:

6/20/2007